

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**IN RE: AMARANTH NATURAL GAS  
COMMODITIES LITIGATION**

This Document Relates To:

**ALL ACTIONS**

Master File No. 07 Civ. 6377 (SAS)

**ECF Case**

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE, that, upon the accompanying Memorandum of Law, Defendant TFS Energy Futures, LLC (“TFS”), by its undersigned attorneys, will move this Court, before the Honorable Shira A. Scheindlin, United States District Judge for the Southern District of New York, at the United States courthouse, 500 Pearl Street, New York, New York at a time and place to be determined by this court, for an Order dismissing with prejudice the claims asserted against them in Plaintiffs’ Corrected Consolidated class Action Complaint pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure. The grounds for this motion are set forth in TFS’s memorandum of law. TFS certifies that it exchanged letters with Plaintiffs prior to bringing this motion pursuant to Rule III.B of the Individual Rules and Procedures of Judge Shira A. Scheindlin.

TFS respectfully requests oral argument on this motion.

Dated: April 28, 2008  
New York, New York

Respectfully submitted,  
ALSTON & BIRD, LLP

By: /s/ Craig Carpenito  
Alan Kanzer (AK-5839)  
Karl Geercken (KG-5987)  
Craig Carpenito (CC-1686)  
90 Park Avenue  
New York, NY 10016  
(212) 210-9400  
(212) 210-9444 (fax)

*Attorneys for Defendant TFS Energy Futures, LLC*